

City of South Gate 2010 General Plan Annual Progress Report

HOUSING POLICY
DEVELOPMENT, HCD

MAY 24 2011

General Plan Effective December of 2009

Prepared by:

Community Development
The City of South Gate
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Approved by:

Date:

City of South Gate 2010 General Plan Annual Report

General Plan Effective December of 2009

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Introduction

The City of South Gate ("City") General Plan ("General Plan") was adopted in December of 2009. The Housing Element was approved and certified in Spring of 2010. This 2010 General Plan Annual Report ("Annual Report") covers the period from January 1, 2010 to December 31, 2010.

The City's General Plan is the community's comprehensive blueprint and vision for the future. It describes the community's aspirations, development goals and priorities. It is also the foundation on which decisions are made by the Planning Commission and City Council regarding land use. The Planning Commission and City Council implement the General Plan through the review of initiated development requests (such as specific plans, site plans, subdivisions, conditional use permits, and building permits) as required by the South Gate Municipal Code ("Municipal Code"). In addition, the City of South Gate undertakes public development through redevelopment and construction of public infrastructure.

California Government Code Section 65400 requires that local planning agencies prepare and submit an annual report on the implementation of the General Plan, including a city's progress in meeting its share of the region's housing needs.

Purpose of the Annual Report

The purpose of this Annual Report is to inform both the Planning Commission and City Council, the community of South Gate, the State of California's Office of Planning Research (OPR) and Department of Housing and Community Development (HCD) regarding the status of the City's implementation of its General Plan, Housing Element, economic development, lifestyle and sustainability goals. The Annual Report will also be used to pinpoint or identify any problems that need to be addressed or adjusted in order to facilitate the implementation of General Plan.

The City Council's and Planning Commission received the 2010 General Plan Annual Progress Report

The Planning Commission received the Annual Report on April 19, 2011. The City Council received the Annual Report on April 26, 2011.

General Plan

California Government Code Section 65300 states that every city government is required to prepare and adopt a general plan. The General Plan sets a template for all future development and essentially serves as the City's "constitution" for land use activity.

As required by state law a general plan must contain seven (7) mandatory elements: Land Use Element, Circulation Element, Housing Element, Conservation Element, Open Space Element, Noise Element, and Safety Element. In addition, the City has adopted a Public Facilities and Services Element, Healthy Community Element, and an Economic Element.

The eight (8) elements that comprise the City's General Plan are:

1. **Community Design (Land Use):** designates the proposed general distribution and general location of land uses within the City and includes goals, policies, and programs to ensure harmonious land use patterns. This article of the General Plan divides the City into sections and clearly states what is permitted in each section. The first major division is the partitioning of the City between neighborhoods, districts, and corridors. The second major division is the apportionment of the districts and corridors into sections that state what is allowable in each part of the district or corridor. If a corridor is not appropriated or defined with a specific purpose then it is considered a thoroughfare. The final designation is that all corridors that have not been appropriated or defined with a specific purpose are major thoroughfares.
2. **Mobility (Circulation):** identifies the location and extent of proposed transportation and infrastructure to enhance the mobility of the City by creating a balanced multi-modal transportation system, which includes pedestrian and bicycle transit infrastructure. The Mobility Element also includes street standards to create safe and attractive streets that promote walking, cycling, and other modes of transit.
3. **Economic:** explores the City's existing economic conditions and establishes policies that encourage direct economic development.
4. **Green City:** combines the open space and conservation elements required by the State of California. This element addresses the conservation, development and use of open space, as well as, flooding, green building, and climate change. It generally provides goals, objectives, policies, and implementation actions aimed at making the City a "green", sustainable, and beautiful city.
5. **Healthy Community (Safety):** establishes goals, policies, and programs related to community health and physical activity, access to affordable health care, and healthy foods. The element also tries to set forth policies and goals to protect the community from chronic diseases, including diabetes, obesity, heart disease and various respiratory illnesses. This section also includes programs to protect the community from risks associated with seismic and geologic hazards. In addition, this element also addresses issues related to emergency preparedness, hazard mitigation, and general public safety concerns.
6. **Public Facilities and Services:** provides information and policy guidance to ensure the provision of facilities and services will support existing and future development and population growth.

7. **Noise:** identifies noises that affect the community and contains goals, policies, and programs intended to protect the community from exposure to excessive disturbances and limiting noises to compatible locations.
8. **Housing:** a comprehensive assessment of current and future housing needs of all segments of the City's population and policies and programs to ensure the fulfillment of those needs.

General Plan Implementation

The Community Development Department is the department responsible for implementation of the City's General Plan. The Department's Business and Development Services Division (Economic Development, Redevelopment and Planning Services) is charged with the implementation of all land use and economic development related activities, including those actions related to the General Plan. The Department's Housing and Grant Division/South Gate Housing Authority oversees all affordable housing developments, grants and other related assistance programs, including the Federal Section 8 Rental Vouchers, CRA Set-A-Side, CDBG, HOME/CHDO, Homeless Services, Federal Stimulus, Home Improvement Loans/grants, First Time Home Buyers program, Neighborhood Revitalization, Senior Housing, Tax Credit applications, and Special Needs Housing.

Title 11 of the Municipal Code establishes the City's Zoning Code and is the primary land use regulatory tool. The Zoning Code organizes, prioritizes and regulates all land use activities in the City.

The Municipal Code is regularly monitored and updated to ensure that it is current, accurate, and consistent with the General Plan. The City's Zoning Code is currently undergoing a comprehensive, city-wide update to provide consistency with the newly adopted General Plan.

More specifically, the purpose of the Zoning Code is to:

- Provide standards and guidelines for continuing orderly development of the City in a manner that will not negatively impact its character and identity.
- Conserve and protect the City's culture, public and open space, and scenic resources.
- Create a comprehensive and stable pattern of land uses, in which to plan and develop transportation, water supply, sewerage, energy, and other public facilities and utilities.
- Encourage the appropriate use of land to support good mobility and protect the values of properties and residents.

In addition to the Zoning Code, another way the General Plan is supported is through the review and analysis of both public and private developments. This is done by conducting detailed project reviews and impact analyses, where the City often conditions and/or requires mitigation measures to ensure compliance with the General Plan. Before the City approves a project, a project description, preliminary environmental studies, plans and elevations must be submitted for review. On some occasions a proforma analysis and/or fiscal impact studies are also conducted. A required finding of all development projects is that the project be consistent with

the General Plan. Otherwise, the project must be altered or the General Plan amended to obtain approval.

There are numerous goals, policies, and programs contained in the General Plan. The following is a list of programs that are ongoing or have been implemented.

Plans and Actions that have been Implemented as of 2010

Zoning Grant

One keystone of the General Plan is the creation of a greener, more sustainable future for the City. As such, the current plan promotes mixed use, transit oriented development and multi-family densities in areas that heretofore did not permit residential development, let alone the densities provided. As a precursor to the State's certification of the City's updated Housing Element, HCD required the City to prepare and adopt an Interim Zoning Code. The new interim code provided policies and standards related to multi-family development, in many cases establishing the use as by-right development in selected districts and corridors. The interim code covered a combined land area of between 850 to 1,000 acres. Given that the interim code only covers a small portion of the City, a comprehensive code update/consistency program is still necessary.

The City has recently been awarded a Sustainable Communities Planning Grant for \$380,000. The grant was administered by the State's Strategic Growth Council (SGC). These funds are instrumental in the City's ability to prepare a timely, comprehensive update to the Municipal Code.

Street Standard

The City is completely built-out and developed with many small shallow lots. The application of new roadways standards are therefore often not feasible, as there are few opportunities for roadway widening without major neighborhood disruption. However, the Mobility Element is not solely focused on the accommodation of automobiles. In addition, the Mobility Element also focuses on such infrastructure options as bicycle and pedestrian accommodation, as well as bus and transit facilities.

The City has also added initiated an extensive landscaped medians program, particular along its two major corridors. These new medians feature xeriscape and are landscaped with palm trees, native grass, annuals, and decorative rocks. The newest medians are located on Firestone Boulevard and Atlantic Avenue. In addition, trees were included in the Atlantic Avenue median to introduce tree cover along one of the City's primary north-south arterials.

Tweedy Mile (South Gate Downtown)

Tweedy Boulevard is considered by many as the commercial heart of the City. A one-mile stretch of the street is referred as the “Tweedy Mile”. This one mile strip is the historical core of the business district and essentially serves as the City’s downtown. Both the Tweedy Mile and the blocks beyond, in both directions is a mixture of both one of a kind small businesses - mom and pop stores - , as well as, regional and national retail and service outlets. Recently the City completed the first phase of new re-investment and Boulevard rehabilitation program along much of the “Tweedy Mile”. Phase one included basic maintenance and clean up, installation of new landscaping and benches, and repair or upgrades to traffic and street identification signs.

Transit Grant

The City recently received a grant in the amount of \$213,840 from the California Department of Transportation (Caltrans), Division of Transportation Planning. The grant will be used to study the development of a proposed high speed, grade separate light rail line, with planned stations for the 100 mile multi-county urban transit connector system. The light rail project will traverse diagonally through the City separating the eastern and western portions of the community. The project forms the core of the City’s planned inter-city and regional transit network. The project is known as the “City of South Gate/Orange-line Development Authority Southern Rail Corridor Community Impacts and Opportunity Assessment.”

Housing Element

The Housing Element of the Annual Report is the only section singled out for specific coverage. This section of the Annual Report is prepared in accordance with Government Code Section 65400.

California identifies the provision of decent and affordable housing for every Californian as a statewide goal. To that end, every jurisdiction in California must prepare a Housing Element that identifies and addresses the housing needs of its community. The Housing Element for the City covers the planning period of July 1, 2008 through June 30, 2014.

The Housing Element promotes the development of a variety of housing densities and dwelling types to meet the needs of all segments of the City. The quantified objectives of the fair share allocation of housing are required to be part of the Housing Element that the City will strive to achieve. However, the City cannot assure that the housing needs will be alleviated through new construction given financial limitations currently facing all levels of government. Completion of the City’s fair share of regional housing needs through new construction will partially depend upon favorable market conditions and at the state and federal funding sources.

Review of Accomplishments

The South Gate 2000-2008 Housing Element established specific programs and objectives for expanding housing opportunities in the community. As part of the update analysis, the City reviewed its housing programs to identify areas where the City experienced successes, areas where improvement is still required, and where program continuation is necessary and/or appropriate. The Housing Plan in the updated 2008-2014 Housing Element reflects lessons learned that will enable the City to improve the effectiveness of its future actions.

Program-Specific Review

The following provides a program-by-program review of the 2000-2008 Housing Element. Each program will be evaluated for its effectiveness and continued appropriateness for the 2008-2014 Housing Element cycle.

Goal 1: Maintain the existing housing stock through protection and preservation.

Program	Objective	Accomplishment
1. Single Family Residential Rehabilitation	· Assist 18 to 20 homes annually.	In 2010, the city rehabilitated 5 lower income households. <i>Continued Appropriateness:</i> The City has no officially designated areas for neighborhood revitalization. Revitalization efforts are incorporated into the City's various residential rehabilitation programs
2. First-time Homebuyers Program	· Assist a total of 20 households.	No household was assisted in this program. This program provides funding for emergency repairs of hazardous conditions that left unattended potentially would adversely impact the health and safety of the residents. The program is limited to low-income households and the elderly to correct problems such as leaking roof, broken hot water heater, plumbing breaks, and

		<p>termite abatement.</p> <p><i>Continued Appropriateness:</i> Promoting homeownership is a priority of the City and this program is included in the 2008-2014 Housing Element.</p>
3. Code Enforcement and Presale Inspection	<ul style="list-style-type: none"> • Assist 7,000 households annually. 	<p>For the 2010, there have been approximately 750 new presale inspections by Building and Safety and 5820 Field inspections by Code Enforcement.</p> <p>The Property Maintenance Ordinance allows code enforcement personnel to resolve issues regarding property maintenance, illegal conversions, and to conduct permit investigations. A prevalent problem for code enforcement is illegal garage conversions. All homes in the City of South Gate, prior to sale, are required to be inspected for code violations. All identified code violations must be corrected prior to sale or revealed to a prospective buyer who must then agree to correction prior to occupancy.</p>

Goal 2: Increase the housing stock to accommodate the needs of an expanding residential community.

1. Development and Funding Incentives	<ul style="list-style-type: none"> • Make available, on a case by case basis Housing Funds for construction loans at below-market interest rates for projects including units for low and moderate income households. • Consider land write-downs or other financial assistance 	<p>Between 2000 and 2008, the City/Agency assisted in the development of 81 units that are affordable to low and moderate income households through land write-downs, gap financing, and other incentives.</p>
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	<p>for builders proposing a specified number of units to be dedicated to low and moderate-income households.</p> <ul style="list-style-type: none"> • Consider financial subsidies, interest write-down or other financial incentive for projects that include rental units that accommodate large families. 	<p>To increase housing availability, the Community Development Commission provides housing production assistance to developers. Some assistance may be targeted for low-moderate income housing production both inside and outside of the Redevelopment Project Area.</p> <p><i>Continued Appropriateness:</i> The City will continue to offer development incentives.</p>
2. Density Bonus	<ul style="list-style-type: none"> • Continue to provide density bonuses pursuant to State law. 	<p>The City experienced little multi-family rental housing development during the last few years. No density bonus was requested.</p> <p><i>Continued Appropriateness:</i> The City continues to offer density bonuses pursuant to State law. The 2008-2014 Housing Element includes a program to update the Zoning Ordinance to reflect the latest density bonus requirements.</p>
3. Secondary Units in R1 Zone	<ul style="list-style-type: none"> • Continue to comply with the Second Unit Ordinance. 	<p>In 2010 there was 12 second units built.</p> <p>Second units in an R-1 neighborhood offer a means by which to add significantly to the housing stock of the community. It offers affordable housing to a larger community. Assembly Bill 1866, which became effective January 1, 2003, allows by right development of a second housing unit whether or not a municipality has adopted a zoning ordinance. The City of South Gate adopted Ordinance No. 2162, which allows a</p>

		<p>second legal dwelling in an R-1 single-family zone.</p> <p><i>Continued Appropriateness:</i> This program has been implemented and becomes an ongoing City policy. No specific action is needed in the 2008-2014 Housing Element.</p>
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Goal 3: Preserve existing assisted housing and to increase the subsidy assistance available to qualified families on the Section 8 Housing Choice Voucher Program.

1. Housing Choice Voucher	<ul style="list-style-type: none"> • Assist 654 households. 	<p>The South Gate Housing Authority continues to offer the Section 8 Housing Choice Vouchers to very low income tenants. Currently, 600 households receive Housing Choice Vouchers in South Gate.</p> <p><i>Continued Appropriateness:</i> The Housing Choice Voucher Program is included in the 2008-2014 Housing Element.</p>
2. Conservation of At-Risk Housing	<ul style="list-style-type: none"> • Monitor and support any federal, state or local initiatives that address the preservation of at-risk housing. • Maintain regular contact with owners of subsidized housing units to keep informed about the owner's plans for the units upon expiration of the housing subsidy. • Maintain contact with tenants and serve as a liaison between tenants and non-profits that may provide assistance in locating or 	<p>No at-risk housing converted to market-rate housing between 2000 and 2008.</p> <p><i>Continued Appropriateness:</i> The City will continue to work toward preserving at-risk units. This program is included in the 2008-2014 Housing Element.</p>

	constructing subsidized units. • Seek funding to purchase subsidized properties to prevent conversion to market rate housing.	
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ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of South Gate
Reporting Period 01-Jan-2010 - 31-Dec-2010

Table A
Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

Housing Development Information											Housing with Financial Assistance and/or Deed Restrictions	Housing without Financial Assistance or Deed Restrictions
1	2	3	4				5	5a	6	7	8	
Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes				Total Units per Project	Est. # Infill Units*	Assistance Programs for Each Development	Deed Restricted Units	Number of units determined to be affordable without financial or deed restrictions. Assessed value from county Assessors; 2008 Income limits chart; Affordability by SCAG	
			Very Low- Income	Low- Income	Moderate- Income	Above Moderate- Income			See Instructions	See Instructions		
Hollydale Plaza	MH	R	70	30	1	0	101					
Granny Flat	SU	R		12			12					
(9) Total of Moderate and Above Moderate from Table A3				►	►	►	4	0				
(10) Total by income Table A/A3			70	42	5							
(11) Total Extremely Low-Income Units*												

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of South Gate
Reporting Period 01-Jan-2010 - 31-Dec-2010

Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)

Please note: Units may only be credited to the table below when a jurisdiction has included a program it its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1); Note: South Gate is not part of this program.

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c)(7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate	4	0	0	0	0	4	
No. of Units Permitted for Above Moderate	0	0	0	0	0	0	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of South Gate
Reporting Period 01-Jan-2010 - 31-Dec-2010

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Enter Calendar Year starting with the first year of the RHNA allocation period. See Example.		RHNA Allocation by Income Level	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Income Level	Deed Restricted Non-deed restricted		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed Restricted					70						70	249
	Non-deed restricted	319											
Low	Deed Restricted		14	35	14	46	7					116	80
	Non-deed restricted	196											
Moderate	Deed Restricted					1						1	215
	Non-deed restricted	216											
Above Moderate	Deed Restricted		34	30	17	6	2					89	482
	Non-deed restricted	571											
Total RHNA by COG. Enter allocation number:		1,302	48	65	31	123	9					276	1,026
Total Units													
Remaining Need for RHNA Period													

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of South Gate
Reporting Period	01-Jan-2010 - 31-Dec-2010

Table C
Program Implementation Status

[illegible]

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction	City of South Gate
Reporting Period	01-Jan-2010 - 31-Dec-2010

General Comments:



City of South Gate

8650 CALIFORNIA AVENUE • SOUTH GATE, CA 90280-3075 • (323) 563-9510
FAX: (323) 563-5411

CARMEN AVALOS
CITY CLERK

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the attached document is a true and correct copy of Resolution No. 7428 – Approving the 2010 General Plan Annual Progress Report.

The original is on file in the Office of the City Clerk, located at 8650 California Avenue, South Gate, California 90280.

IN WITNESS WHEREOF, I hereunto set my hand and affix my official seal this 12th day of May, 2011.

Carmen Avalos, City Clerk
City of South Gate, California

RESOLUTION NO. 7428

**CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA**

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF SOUTH GATE
APPROVING THE 2010 GENERAL PLAN
ANNUAL PROGRESS REPORT**

WHEREAS, Government Code Section 65350-65362 requires all cities within the State of California to prepare, adopt, and amend general plans, the South Gate General Plan 2035, the City's first city-wide, comprehensive update since 1986, was adopted on December 8, 2009; and

WHEREAS, as required by Government Code Section 65580-65589.8, the City's comprehensive Housing Element Update was approved on June 22, 2010 and certified by the State of California on July 12, 2010; and

WHEREAS, the 2010 General Plan Annual Progress Report (APR) is to inform the Planning Commission and City Council, the South Gate community, the Office of Planning Research, and the California Department of Housing and Community Development on the progress and status of the implementation of the City's General Plan and related housing issues; and

WHEREAS, the Planning Commission received and reviewed the 2010 APR on May 3, 2011 and recommended approval to the City Council; and

WHEREAS, the City Council reviewed the 2010 APR and made the following findings:

1. The 2010 General Plan Annual Progress Report accurately reflects the City's achievements during the calendar year of 2010 and properly records and summarizes the City's progress in the implementation of the goals, policies and objectives outlined in the approved General Plan 2035;

[The remainder of this page is left blank intentionally.]

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH GATE
DOES HEREBY RESOLVE AS FOLLOWS:**

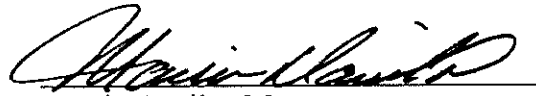
SECTION 1. The City Council hereby receives and approves the 2010 General Plan Annual Progress Report, in that the APR adequately and accurately informs both the Planning Commission and the City Council on the progress of the City's implementation of South Gate General Plan 2035, including the Housing Element.

SECTION 2. The City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

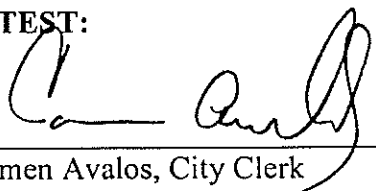
SECTION 3. The City Clerk shall forward a certified copy of this Resolution to the Office of Planning Research and the Housing and Community Development agency.

PASSED, APPROVED AND ADOPTED this 10th day of May, 2011.

CITY OF SOUTH GATE:


Maria Davila, Mayor

ATTEST:


Carmen Avalos, City Clerk
(Seal)

APPROVED AS TO FORM:


Raul F. Salinas, City Attorney

RESOLUTION CERTIFICATION PAGE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES) SS

CITY OF SOUTH GATE)

I, Carmen Avalos, City Clerk of the City of South Gate, California, hereby certify that the whole number of Members of the City Council of said City is five; that Resolution No. 7428 was adopted by the City Council at their Regular Meeting held on May 10, 2011, by the following vote:

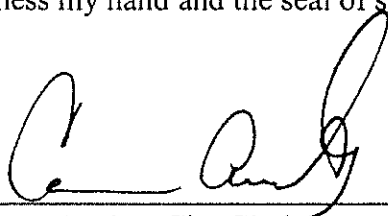
Ayes: Council Members: De Witt, Hurtado, Gonzalez and Morales

Noes: Council Members: None

Absent: Council Members: Davila

Abstain: Council Members: None

Witness my hand and the seal of said City on May 12, 2011.



Carmen Avalos, City Clerk
City of South Gate, California

RESOLUTION NO. 2011-03

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF SOUTH GATE, APPROVING THE 2010
GENERAL PLAN ANNUAL PROGRESS REPORT**

WHEREAS, Government Code Section 65350-65362 requires all cities within the State of California to prepare, adopt, and amend general plans. The South Gate General Plan 2035, the City's first a city-wide, comprehensive update since 1986, was adopted December 8, 2009, and;

WHEREAS, as required the City's comprehensive Housing Element Update was approved on June 22, 2010 and certified by the State of California on July 12, 2010, Government Code Section 65580-65589.8; and

WHEREAS, the 2010 General Plan Annual Progress Report (APR) is to inform the Planning Commission and City Council, the community of South Gate, the Office of Planning Research (OPR), and the California Department of Housing and Community Development on the progress and status of the implementation of the City's General Plan and related housing issues; and

WHEREAS, the City's Community Development Department has prepared the 2010 APR and submitted it for the review by the Planning Commission; and

WHEREAS, upon the conclusion of the Planning Commission's review, the 2010 APR will be forwarded to the City Council for review and approval; and

WHEREAS, after the approval by City Council, the 2010 APR will be provided to the Office of Planning Research, and the California Department of Housing and Community Development; and

WHEREAS, the City Planning Commission reviewed the 2010 APR and made the following findings:

1. The 2010 General Plan Annual Progress Report accurately reflects the City's achievements during the calendar year of 2010 and properly records and summarizes the City's progress in the implementation of the goals, policies and objectives outlined in the approved General Plan 2035.

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Building and Safety Conditions:

1. Provide an additional disabled parking space.
2. Provide adequate mechanical ventilations.
 - a. Provide certificate of compliance for MECH 2A – Outdoor air
 - b. Provide certificate of compliance for MECH 2B – Constant volume single zone unitary air conditioner
 - c. Provide certificate of compliance for MECH 2C- Air distribution system acceptance

Planning Conditions:

3. Applicant shall fully satisfy and comply with all Planning and Public Works conditions prior to:
 - (i) Effectuating the Type 47 Alcohol Beverage license
 - (ii) Conducting live entertainment hosting
 - (iii) Hosting banquet events, unless otherwise waived by the Community Development Director
4. Hours of operation shall be limited to 11:30 pm Sunday through Thursday, 12:30 am Friday and Saturday. The use of the restaurant as a banquet hall is limited to weekends (Friday through Sunday) only. Hours of operation for banquet hall events shall end no later than 12:30 am.
5. Maximum occupancy capacity is limited to a maximum of 120 patrons at any given time.
6. The use of the restaurant as a banquet hall is limited to gatherings and entertainment as they relate to social gatherings. The restaurant is not available as a public venue for use by live entertainment acts. Similarly, the restaurant is not available as a public venue for a nightclub or other single-night special promotional events. The use as a banquet is limited to Friday and Saturday only.
7. The block wall to the south that separates the residential properties from the commercial parking lot shall be raised to a consistent height of 6 feet as measured from the parking lot side. The height of the wall within the front set-back of the residential property shall be raised to a consistent height of 4 feet as measured from the residential side.
8. Install sufficient lighting with glare shields on the southern parking lot to provide proper illumination for safety purposes. Provide additional lighting to that provides safe and adequate illumination of the alley between parking lot and restaurant. Lighting should not emit over to the residential properties.
9. Post signs at each door exit to read "Please be considerate of our neighbors when exiting."
10. Prohibit patron loitering, congregating or otherwise milling about the parking lot areas.
11. Provide a block wall trash enclosure.
12. Refurbish or remove the inoperable pole sign at the northern perimeter of the subject property. Refurbishment of sign shall require review and approval by the Planning

Resolution No. 2010-09
CUP No. 789
4816 Firestone Boulevard
Division.

13. Signage for the business shall reflect the name as "Los Lagos Restaurant."
14. Refurbish/repair planter at northeast corner of subject property and install additional landscaping, including the removal of the palm tree growing over the sidewalk.
15. Install new landscaping into existing boxed planting areas along the east side of the building adjoining the parking lot to the satisfaction of the Director of Community Development.
16. Remove and install new grass lawn in parkway along Vossler Avenue south of existing alley and remove weeds and overgrown vegetation and replace with new plant material in planter area fronting Vossler Avenue adjacent to southern parking lot to the satisfaction of the Director of Community Development.
17. City of South Gate staff or designated representative(s) shall be granted access to the facility for inspection of compliance with the City Codes and conditions of approval.
18. There shall be no loud speakers located outside the facility.
19. Door facing Vossler Avenue shall remain closed during banquet hall events. Banquet hall patrons shall only use the Firestone Boulevard entrance.
20. The applicant and property owner shall defend and indemnify the City against and all costs and legal fees arising from any legal proceeding that is filed against the City related to the approval for this project.
21. The applicant shall be responsible for the costs associated with any law enforcement, health, or safety related enforcement activities over and above the services normally provided by the City which are required due to the operation and management practices of the business. Increased enforcement activity may also be grounds for revocation of the CUP.
22. The City shall periodically monitor the impacts on parking, traffic, and noise on the adjoining businesses and residents. If it is determined that activities at the establishment are creating an adverse parking, traffic, or noise problem, this permit will be brought to the Planning Commission for review and possible revocation.
23. There shall be strict compliance to the Noise Emission standards in Section 11.29 (as shown below) of the City Code as amended from time to time.
24. All signage for the business shall read or reflect the name as "Los Lagos Restaurant."
25. Fundraising events shall be limited to South Gate Schools or South Gate Non-profit organizations as recognized by the State of California.

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Receiving Land Use Category	Time	Sound Level Limit (dBA)
Noise Zone I (Noise Sensitive Area)	Anytime	45
Noise Zone II (Residential)	7:00 am - 10:00 pm 10:00 pm - 7:00 am	50 40
Noise Zone III (Commercial)	Anytime	55
Noise Zone IV	Anytime	65

26. If at any time complaints are received regarding excessive noise, loitering, parking/traffic safety issues and other negative effects associated with activities at the establishment, the Planning Commission may initiate a public hearing to consider revocation of the Conditional Use Permit.
27. Beer, wine and distilled spirits shall be served in accordance with the provisions of a Type 47 liquor license issued by the State Alcohol Beverage Control Board (ABC) during approved hours of operation.

Public Works Conditions:

29. All public works improvements shall be constructed in accordance with the latest edition of the APWA Standard Specifications for Public Works Construction ("Green Book") and South Gate City Standards, and to the satisfaction of the City Engineer and Director of Public Works prior to the issuance of a Certificate of Occupancy.
30. Provide an engineer's estimate for all public works improvements and pay all plan-check fees in accordance with the latest fee schedule prior to plan review.
31. Pay permit and inspection fees associated with this project in accordance with the latest fee schedule at the time of permit issuance and inspection.
32. Coordinate all public works improvements with the Public Works Department at least 48 hours in advance of work beginning. Contact Mr. Hany Henein at (323) 563-9581 to arrange for a public works inspection.
33. To ensure completion of all public works improvements, the developer shall enter into a development agreement with the City prior to construction, pay related administrative fees and post the necessary security in the amount estimated by the City Engineer and form approved by the City Attorney.
34. Comply with the City's Ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Waste Reduction Recycling Plan form.
35. Developer shall coordinate with Waste Management at (800) 774-0222 to provide proper construction waste disposal container(s), including facilities for recycling.
36. Developer must comply with all applicable South Coast Air Quality Management District (AQMD) regulations.

37. Comply with all Federal, State, and local agency requirements pertaining to the Clean Water Act, which established regulations, set forth in the Countywide National Pollutant Discharge Elimination System (NPDES) Permit.
38. Comply with the City's Storm Water Management Ordinance and SUSMP requirements. Implement all NPDES requirements and Best Management Practices during and after construction. Provide and obtain approval of a site-specific Erosion Control Plan and/or Storm Water Pollution Prevention Plan (SWPPP) from the City's plan-check consultants.
39. Dedicate corner cutoff for the southwest corner of the intersection of Vossler Avenue at Firestone Boulevard.
40. Ingress and egress on Firestone Boulevard shall be right-in, right out only.
41. Remove and replace entire damaged driveway on Firestone Boulevard and Vossler Ave.
42. Remove the most northerly driveway on Vossler Avenue and replace it with full height curb, gutter and sidewalk to match existing.
43. Remove and replace approximately 130 feet of existing alley portion adjacent to the property parking lots.
44. Construct new ADA wheelchair ramp with black truncated dome at the southwest corner of the intersection of Vossler Avenue at Firestone Boulevard.
45. Protect existing street trees and replace their well covers with decorative cast iron tree well covers. Construct additional tree wells and plant additional 24-inch boxed trees on Firestone Blvd. and Vossler Ave. as needed to provide consistent spacing with the existing street trees. The species of any new trees to be planted shall be in accordance with the Citywide Tree Master Plan. It shall be the applicant responsibility to maintain the new landscape across their frontage.
46. On-street parking shall be prohibited along the Firestone Boulevard and Vossler Ave, property frontage. Paint curbs red and/or install regulatory signs as approved by the City.
47. Remove and reconstruct new full-width sidewalks along the entire frontage of Firestone Blvd. and Vossler Ave. to match existing.
48. Driveways shall be at least 5 feet away from any above-ground obstructions in the public right-of-way to the top of the driveway "X." Otherwise, the obstruction shall be relocated at the developer's expense. The developer shall ensure that each driveway provides proper pedestrian access across, in compliance with the Americans with Disabilities Act (ADA). The final layout and site driveway design shall be subject to the review and approval of the City Engineer.
49. Any damages to existing public improvements shall be removed and replaced to the satisfaction of the City Engineer. Exact limits of removal shall be determined by Mr. Hany Henein at (323)563-9581.
50. The Applicant shall pay water impact fees if an upgrade is required. Contact Public Works for Schedule of Fees.
51. Clear unobstructed sight distances shall be provided at all site driveways.
52. Paint property address on the building and the curb face, in front of the existing

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development, to the City and Fire Department's satisfaction.

53. The developer shall comply with the City's Industrial Waste Discharge Program. The applicant shall contact John Hunter the city's environmental consultant at 562-802-7880 ext. 21 for details.

General:

Conditional Use Permit No. 789

54. The conditions imposed by the approval of Conditional Use Permit No. 789 shall be adhered to unless specifically altered by subsequent conditional use permit amendments and/or zone variances for the site or by the conditions imposed by this permit.

Code Compliance

55. Unless otherwise waived, the permittee shall comply with all applicable codes, laws, rules and regulations including the Building and Safety, Public Works, and Zoning Codes of the City of South Gate and the Health and Fire Codes of the County of Los Angeles.

Approved Plans

56. That the property be developed substantially in accordance with the approved plans submitted on April 21, 2010.

Outdoor Storage

57. No materials or products related to the business use are to be stored or displayed outside unless otherwise approved in writing by the Director of Community Development.

Future Construction

58. All future construction or additions shall be subject to review and approval of the Planning Commission, as determined appropriate by the Director of Community Development.

Compliance with Conditions

59. Unless otherwise noted, all conditions are to be complied with as of the effective date of approval of the conditional use permit.

Intensification of Use

60. This permit shall only be valid until, and shall thereafter expire when, the Planning Commission shall determine, at a hearing at which the permittee is given sixty (60) days advance written notice, and an opportunity to be heard, that an "intensification of use", as defined in subparagraph (i) below, has occurred for which no prior advance written permit approval has been given by the City.

- a. For the purposes of this section, an "intensification of use" shall be deemed to occur when any of the following shall occur:
- b. Any change which increases the floor area of the premises by 10% of the existing floor area.
- c. Adding new uses or providing new services on the premises.
- d. Nothing herein is intended to cause the termination of the Conditional Use Permit solely on the basis of change of ownership.

Right of the City to Impose Modifications

61. Upon sixty(60) days prior notice given in writing, in advance, to the Permittee at a hearing at which the Permittee is given an opportunity to be heard, the City shall have the right to modify the terms of this conditional use permit, to impose such further and additional conditions to the conditional use permit herein granted that are reasonably related to crime prevention, crime protection, parking, traffic, circulation, safety, health, surrounding land use

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compatibility, noise, vandalism, poor maintenance of property, aesthetics and welfare at or in the immediate vicinity of the property which is the subject of this conditional use permit.

Citation

62. Any violation of the code requirements and/or conditions of approval may be subject to the issuance of a citation that could result in a fine as set by the Planning Commission, after notice, at which time the applicant may address the Commission.

Revocation

63. Violations of the conditions of this conditional use permit can result in the revocation or modification of this application by the issuing body at a regularly scheduled meeting, notice of which will be given to the applicant by first class mail, postage prepaid, or by posting notice of said hearing at two prominent locations on the premises to which the permit refers.

Reimbursement

64. The City Planning Commission may impose, as a condition of continuation, reinstatement or re-issuance of any permit, a requirement that the Permittee reimburse the City for all costs and expenses reasonably incurred in the investigating, identifying, and documenting the violation and in processing information concerning the violation for presentation to the City Planning Commission, and upon appeal, to the City Council.

Expiration of Conditional Use Permit

65. Unless the conditional use permit is exercised within one year from the date of approval, the conditional use permit amendment shall be directed to the Planning Commission for due process to determine reasonability for possible extension.

Fish and Game Fee

66. If the Department of Fish and Game determines that this project is not exempt from the filing fees imposed pursuant to the Fish and Game Code Section 711.4, approval of this project shall be conditioned on the project applicant paying to the Department of Fish and Game such fees and any fine which the Department of Fish and Game determines to be owed.

Maintenance of Property Free of Graffiti

67. Applicant acknowledges and agrees that the permit is expressly conditioned on the Applicant maintaining the subject equipment in a well-maintained condition, and free from graffiti. In the event of graffiti markings, Applicant agrees to eliminate all such graffiti within 48 hours days, with or without notice from the City, as a condition of the permit.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the findings, noted above, does hereby recommend approval of the 2010 General Plan Annual Progress Report, in that the 2010 APR adequately and accurately informs both the Planning Commission and the City Council on the progress of the City's implementation of the South Gate's General Plan 2035, including the Housing Element.

This recommendation was adopted by the following vote at the Planning Commission meeting of May 3, 2011

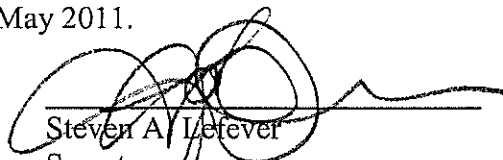
AYES: Chairperson Miranda, Vice Chairperson Colon, Commissioners Machuca and Masushige

NOES:

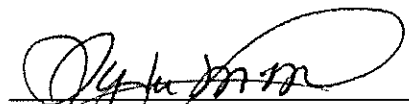
ABSENT: Commissioner Campos Rivera

NOT VOTING:

APPROVED and ADOPTED this third day of May 2011.


Steven A. Lefever
Secretary
City Planning Commission

APPROVED:


Sylvia Masushige
Chairperson
City Planning Commission